

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

SCOTT W. SUTHERLAND,

Plaintiff,

v.

Case number 05-72496

MICHAEL J. MIZER, JOHN M. CECIL, DAVID  
RUIZ, JOHN DAKMAK, ERIC RESTUCCIA, and  
WAYNE COUNTY,

Honorable Julian Abele Cook, Jr.

Defendants.

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ORDER

On April 29, 2007, the Plaintiff, Scott Sutherland, filed a motion to stay the proceedings in this civil litigation pending the entry of decisions by the Court on two motions to reconsider that he had filed on April 26th and April 27<sup>th</sup> of this year. Inasmuch as this Court has now rendered decisions which denied the two motions that were the underlying subject matters of Sutherland's April 29<sup>th</sup> application for relief, this issue (i.e., a stay of this case) is moot, and must be denied.

The Court also notes that Sutherland filed another motion on May 1<sup>st</sup>, seeking an extension of the time in which he could attempt to effect proper service upon the United States of America. The Court, having reviewed the record in this cause, will grant his motion and, in so doing, will extend the time for service of the summons and related documents upon the Defendants for a period of thirty (30) days from the date of this order.

IT IS SO ORDERED.

Dated: October 26, 2007  
Detroit, Michigan

s/ Julian Abele Cook, Jr.  
JULIAN ABELE COOK, JR.  
United States District Court Judge

Certificate of Service

I hereby certify that on October 26, 2007, I electronically filed the foregoing with the Clerk of the Court using the ECF system, and I further certify that I mailed a copy to the non-ECF participant(s).

s/ Kay Alford  
Courtroom Deputy Clerk